

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.596 OF 2005

GlaxoSmithKline Pharmaceuticals Ltd..Petitioner.

Vs.

R.Balaji & Ors.

..Respondents.

...

Mr.P.K.Rele with Ms.N.R.Patankar for the
Petitioner.

Mr.C.U.Singh with Mr.M.D.Nagle with Mr.V.M.Parkar
for Respondent No.1.

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CORAM : DR.D.Y.CHANDRACHUD, J.

7th March, 2005.

P.C. :

1. After the Petition was argued at the stage of admission, I had indicated to the learned counsel on behalf of the parties that any observations that may be made by the Court at the present stage may conceivably affect the trial. Counsel appearing on behalf of the Petitioner has, in these circumstances, fairly stated that he would rest

content if the petition is disposed of by an observation by this Court that the observations contained in the impugned order of the Industrial Court dated 19th January, 2005 are only confined to the disposal of the question of interim relief and that the complaint shall be disposed of uninfluenced by those observations. Learned Counsel also prays that the hearing of the complaint may be expedited. These being the only two submissions which are finally pressed, which I find fair and proper, it is clarified while disposing of this Petition that the observations contained in the impugned order of the Industrial Court dated 19th January, 2005 shall be treated as only observations confined to the disposal of the question of interim relief and the Industrial Court shall decide the main complaint on merits uninfluenced by any of those observations. The hearing of the complaint is expedited. The parties are directed to appear before the Industrial Court for directions on 21st March, 2005. The Industrial Court shall endeavour to dispose of the complaint as expeditiously as possible preferably within a period of three months.

2. On the request of counsel appearing on behalf of the Petitioner, it has been agreed by counsel appearing on behalf of the First Respondent, on instructions of the First Respondent who is present in the Court, that in the event the Petitioner appoints the First Respondent to any location in the area of or around Chennai, the First Respondent would have no objection in reporting to the place of work. It is needless to add that this would be without prejudice to the respective rights and contentions of the parties in the pending complaint.

The Petition is disposed of in the aforesaid terms.

There shall be no order as to costs.